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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERNESTO DIAZ AND RAYMOND DIAZ,

Defendant.

No. ED CR 18-0171-TJH

ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT [31]

**[PROPOSED] TRIAL DATE:
October 9, 2018**

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by the parties in this matter on July 17, 2018. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in a speedy trial; (ii) failure to grant the continuance

1 would be likely to make a continuation of the proceeding impossible,
2 or result in a miscarriage of justice; and (iii) failure to grant the
3 continuance would unreasonably deny defendant continuity of counsel
4 and would deny defense counsel the reasonable time necessary for
5 effective preparation, taking into account the exercise of due
6 diligence.

7 THEREFORE, FOR GOOD CAUSE SHOWN:

8 1. The trial in this matter is continued from August 7, 2018
9 to October 9, 2018.

10 2. The time period of August 7, 2018 to October 9, 2018,
11 inclusive, is excluded in computing the time within which the trial
12 must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),
13 and (B)(iv).

14 3. Defendants shall appear in Courtroom 9B of the Federal
15 Courthouse, 350 W. 1st Street, Los Angeles, California on October 9,
16 2018 at 10:00 a.m.

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1 4. Nothing in this Order shall preclude a finding that other
2 provisions of the Speedy Trial Act dictate that additional time
3 periods are excluded from the period within which trial must
4 commence. Moreover, the same provisions and/or other provisions of
5 the Speedy Trial Act may in the future authorize the exclusion of
6 additional time periods from the period within which trial must
7 commence.

8 IT IS SO ORDERED.

9
10 July 23, 2018

11 _____
12 DATE



HONORABLE TERRY J. HATTER JR.
SENIOR UNITED STATES DISTRICT
JUDGE

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15 Presented by:

16 _____
17 /s/
18 EDWARD HAN
19 Assistant United States Attorney
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